

NO. 61945

**APPLICATION FOR PERMISSION TO CHANGE POINT OF
DIVERSION, MANNER OF USE AND PLACE OF USE OF THE
PUBLIC WATERS OF THE STATE OF NEVADA
HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office MAR 11 1996

Returned to applicant for correction _____

Corrected application filed _____

Map filed FEB 14 1983 under 46638

The applicant Marshall Earth Resources, Inc., hereby makes application for permission to change the Manner of Use of water heretofore appropriated under Permit 46639

1. The source of water is Underground
2. The amount of water to be changed 1.5 second-feet
3. The water to be used for Quasi-Municipal
4. The water heretofore permitted for Mining and Milling
5. The water is to be diverted at the following point SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 34, T13N, R39E, MDM unsurveyed, or at a point from which the Northeast corner of Section 1, T12N, R38E, MDM bears, S 80° 00' 36" W a distance of 20,573 feet.
6. The existing permitted point of diversion is located within
7. Proposed place of use SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 27; NE $\frac{1}{4}$ NW $\frac{1}{4}$; NW $\frac{1}{4}$ SW $\frac{1}{4}$; portion of SE $\frac{1}{4}$ NW $\frac{1}{4}$, portion of NE $\frac{1}{4}$ SW $\frac{1}{4}$, portion of SW $\frac{1}{4}$ SW $\frac{1}{4}$, all within Section 34; NE $\frac{1}{4}$ of Section 33, all within T13N, R39E, MDM unsurveyed.
8. Existing place of use Same as 7.
9. Use will be from January 1 to December 31 of each year.
10. Use was permitted from January 1 to December 31 of each year.
11. Description of proposed works Drilled and cased well, submersible pump, underground pipelines to Place of Use.
12. Estimated cost of works \$30,000.00
13. Estimated time required to construct works Two Years
14. Estimated time required to complete the application of water to beneficial use Four Years
15. Remarks: This well is and will continue to be used for back-up as a source for the mining and milling operations in Ione, Nevada.

By s/ illegible
2301 Lakeside Drive
Reno, Nevada 89509

Compared cl/jk cl/bk

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the manner of use of the waters of an underground source as heretofore granted under Permit 46639 is issued subject to the terms and conditions imposed in said Permit 46639 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Permits 46638 and 61945 shall not exceed 2.001 million gallons annually.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.0 cubic feet per second, but not to exceed 1.504 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before:

N/A

Proof of completion of work shall be filed before:

N/A

Application of water to beneficial use shall be filed on or before:

March 18, 1998

Proof of the application of water to beneficial use shall be filed on or before:

April 18, 1998

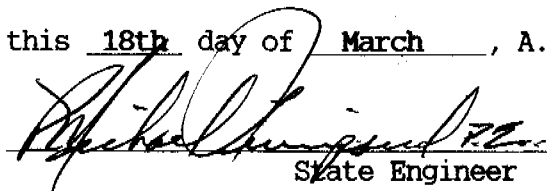
Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,
State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 18th day of March, A.D. 1997


State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

WITHDRAWN BY APPLICANT

MAY 07 1998

 STATE ENGINEER